

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 67-75 and 77-83 are pending, Claims 1-66, 76, and 84 were cancelled by previous amendments.

As an initial matter, Applicants had responded to the last responsive Office Action of May 23, 2005, where Claim 68 was rejected under 35 U.S.C. § 102(e) as unpatentable over Stefik et al. (U.S. Patent No. 5,715,403) and Claims 67 and 69-83 were indicated as allowable. Applicants filed an Amendment on July 19, 2005 in which Claim 68 was amended to recite an apparatus substantially corresponding to the system recited in allowed Claim 67. Enclosed for Examiner's convenience is a copy of the Amendment filed on July 19, 2005.

Applicants respectfully submit that the outstanding Office Action is non-responsive as the Office Action incorrectly restates Amended Claim 68 in the Detailed Action, does not respond to Claim 75, and addresses cancelled Claims 1, 7-10, 45 and 50-52. MPEP requires that all actions on the merits issued by the Office be complete and clear.<sup>1</sup>

Applicants respectfully remind the Examiner of our phone conversation of November 15, 2005 where the non-responsiveness of the outstanding Office Action was agreed upon with the Examiner indicating an intent to mail Applicants the correct Office Action which addresses the July 19, 2005 Amendment. Applicants have not yet received the corrected Office Action in response to the July 19, 2005 Amendment. Applicants have checked the USPTO PAIR system and verified that the last mailed Office Action is the outstanding nonresponsive Office Action of October 7, 2005.

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<sup>1</sup> See MPEP § 707.07.


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Applicants respectfully submit that the outstanding Office Action does not answer the substance of the July 19, 2005 Amendment. The outstanding Office Action incorrectly recites Amended Claim 68, does not respond to Claim 75, and addresses cancelled claims. Accordingly, the outstanding Office Action is not complete and clear.

Consequently, in view of the outstanding amendment, previous telephone discussion, and present response, it is respectfully submitted that Claims 67-75 and 77-83 patentably define over the asserted art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number

**22850**

Tel: (703) 413-3000

Fax: (703) 413 -2220

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